



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#13/B  
1-9-03  
[Signature]

In re Patent Application of

VON BORSTEL

Atty. Ref.: 1331-334

Serial No. 09/763,955

Group: 1623

Filed: February 28, 2001

Examiner: Patrick T. Lewis

For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES

\* \* \* \* \*

December 30, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

**RECEIVED**

JAN 03 2003

Sir:

TECH CENTER 1600/2900

**AMENDMENT**

In response to the Official Action October 1, 2002, please amend the above-identified application as follows:

**IN THE CLAIMS**

✓  
Please cancel all of the claims in this application, namely claims 1-47, and replace by the following new claims.

48 (New). A method for treating or preventing a congenital mitochondrial disease selected from the group consisting of MELAS, LHON, MERRF, MNGIE, NARP, PEO, Leigh's Disease and Kearns-Sayres Syndrome in a mammal comprising administering to said mammal in need of such treatment or prevention an effective amount of a pyrimidine nucleotide precursor.